

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NANCY MARTIN PEREZ,

Defendant.

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8:08CR222

ORDER

This matter is before the Court on the motion of defendant Nancy Martin Perez (Perez) to enlarge time (Filing No. 28). Perez seeks until July 14, 2008, in which to file pretrial motions. The motion does not comply with NECrimR 12.3 (a) and paragraph 9 of the Progression Order (Filing No. 25) in that the motion is not accompanied by the defendant's affidavit or declaration stating that defendant:

- (1) Has been advised by counsel of the reasons for seeking an extension;
- (2) Understands that the time sought by the extension may be excluded from any calculation of time under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*; and
- (3) With this understanding and knowledge, agrees to the filing of the motion.

Accordingly, the motion to extend time will be provisionally granted to the extent that if an affidavit set forth above is not filed with any motion **on or before July 14, 2008**, any such motion will be deemed withdrawn upon filing.

IT IS SO ORDERED.

DATED this 10th day of July, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge